

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Board/Committee:		CIVIL SERVICE COMMISSION		Meeting Date	March 28, 2017
Location	Mo'ikeha Building, Liquor Control Commission, Meeting Room 3			Start of Meeting: 3:00 p.m.	End of Meeting: 3:19 p.m.
Present	Chair Richard Jose; Vice Chair Jeffrey Iida. Members: Fely Faulkner; Elizabeth Hahn (arrived at 3:05 p.m.); Karen Matsumoto; and John Low Also: Deputy County Attorney Bentley Adams; Director of Human Resources Janine Rapozo; Boards & Commissions Office Staff: Commission Support Clerk Sandra Muragin				
Excused					
Absent					
SUBJECT		DISCUSSION		ACTION	
Call To Order/Roll Call				Chair Jose called the meeting to order at 3:00 p.m. with 5 members present.	
Executive Session		ES-005 Executive Session Minutes of December 14, 2016 ES-006 Executive Session Minutes of February 28, 2017 Deputy County Attorney Bentley Adams read; Pursuant to Hawai'i Revised Statutes §§92-4 and 92-5 (a) (4), 92-9 (a) (1-4) and (b), the purpose of this executive session is to receive and approve Executive Session minutes and to consult with the Commission's legal counsel on issues pertaining to the Commission's and the County's powers, duties, privileges, immunities, and/or liabilities as they may relate to this item, deliberate and take such action as appropriate.		Mr. Iida moved to go into executive session. Mr. Low seconded the motion. Motion carried 5:0 3:00 p.m. Ms. Rapozo left the meeting room. (Mr. Adams remained in the meeting room)	
Return to Open Session		Ratify Commission actions taken in Executive Session for items: ES-005 and ES-006		The meeting resumed in Open Session at 3:02 p.m.	
Business		CSC 2017-03 Review and acceptance of the Findings of Fact, Conclusions of Law, and Order Dismissing Appeal from the Deputy Attorney General's Office for a Communication received 11/17/16 appealing the Recruitment & Examination of a particular position by the Director of Human Resources and related matters.		Mr. Iida moved to receive the Findings of Fact, Conclusions of Law and Order Dismissing Appeal from Deputy Attorney General Henry S. Kim. Ms. Faulkner seconded. Motion carried 5:0	

SUBJECT	DISCUSSION	ACTION
Approval of Minutes	<u>Open Session Minutes of February 28, 2017</u>	Mr. Low moved to approve the open session minutes of February 28, 2017. Mr. Iida seconded the motion. Motion carried 5:0
	<u>Ratify Commission actions taken in Executive Session for items: ES-005 and ES-006</u>	Mr. Iida moved to ratify actions taken in executive session for items ES-005 and ES-006. Mr. Low seconded the motion. Motion carried 5:0 <i>3:05 p.m. Commissioner Elizabeth Hahn entered the meeting room.</i> <i>3:05 p.m. Ms. Matsumoto left to call Ms. Rapozo.</i>
	<p>Ms. Hahn had concerns over the public notice of the Appellant's name. She stated that it had been under executive session and then the response (Findings of Fact, Conclusions of Law, and Order Dismissing Appeal) was publicized. She recalled in previous experience that things taken under executive session would remain confidential and this findings of fact was put into the open session.</p> <p>Mr. Low commented that is had been done before.</p> <p>Ms. Hahn said that although when she did question it and was told it was fine, she still felt uneasy about it.</p> <p>Deputy County Attorney Bentley Adams commented that actual actions and discussions are done in executive session and the findings are done in open session.</p>	<i>3:06 p.m. Ms. Matsumoto and Ms. Rapozo entered the meeting room.</i>
Director's Reports	<u>CSC 2017-02 a. March 2017 Director's Report</u>	

SUBJECT	DISCUSSION	ACTION
	<p>Ms. Rapozo shared with the commissioners that negotiations for Units 11, which is the Fire Fighters and HGEA (Hawai'i Government Employees Association) Units 2, 3, 4 and 13 completed arbitration hearings and will get awards in mid-April. She said that once awards are finalized each jurisdiction legislative body will have to fund the award. If any jurisdiction does not fund the award they would need to go back in negotiations. Ms. Rapozo is hopeful for a fair settlement, and noted that they have put on the best case that they could, given the current circumstances. They will wait and see what happens in mid-April. She shared that SHOPO (State of Hawai'i Organization of Police Officers) and UPW (United Public Workers) for blue collar workers and Unit 14 for Ocean Safety Officers are still in negotiations. She reported that on March 15 the Administration submitted the fiscal year 2018 Budget to the County Council. The HR (Human Resource) budget was relatively flat and presentation is scheduled April 10 at the County Council. She said this year all department presentations will focus mainly on financials and any changes on line items as well as any vacancies.</p> <p>Mr. Iida asked for the meeting time.</p> <p>Ms. Rapozo said the meeting time is 9:00 a.m. They are scheduled on the last day of budget hearings. Budget hearings started last week Thursday and go thru April 10.</p> <p>Ms. Matsumoto asked if they still have the dollar funded position?</p> <p>Ms. Rapozo said yes they have one HR Manager dollar funded position which they intend to keep.</p> <p>Chair Jose thanked Ms. Rapozo.</p>	

SUBJECT	DISCUSSION	ACTION
Business	<p>CSC 2017-03 Review and acceptance of the Findings of Fact, Conclusions of Law, and Order Dismissing Appeal from the Deputy Attorney General's Office for a Communication received 11/17/16 appealing the Recruitment & Examination of a particular position by the Director of Human Resources and related matters.</p> <p>Chair Jose explained that he is returning to Business CSC 2017-03 and asked for any discussion on the findings of fact document.</p> <p>Mr. Low said the write up appears to be what the Commission agreed upon and usually only the Chair signs. The Vice Chair signs only if the Chair is unavailable.</p> <p>Mr. Adams said the document misidentified him as being present in the executive session and incorrectly as the Deputy Corporation Counsel.</p> <p>Mr. Low suggested that they resubmit and ask for the following corrections; the Deputy County Attorney excused himself or leave it out, correct Mr. Bentley Adams title and the signature should just be the Chair.</p>	<p>Mr. Low motioned to return the Findings of Fact, Conclusions of Law, and Order Dismissing Appeal to Deputy Attorney General Henry S. Kim and request corrections on page 2, first paragraph; Deputy Corporation Counsel Bentley Adams to Deputy County Attorney Bentley Adams and insert that Mr. Adams excused himself prior to any discussion in executive session and change page 5 & 6 to require only Chair Richard Jose's signature. Ms. Faulkner seconded the motion. Motion carried 6:0</p>
Announcements	Next Meeting: Tuesday, April 25, 2017 – 3:00 p.m., Mo'ikeha Building, Liquor Conference Room 3	
Adjournment	Mr. Low announced that this has been a great six years and he really enjoyed and appreciated working with everyone. He felt honored to work with this group of professionals and is proud of the work they have done together and knows they will continue to do a great job. Mr. Low addressed Ms. Rapozo and reminisced her early days as risk manager. He's honored to have worked with her and was proud of the way she put together the evaluation for executive employees which he believed helped transition Personnel into Human Resources.	

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	Chair Jose added that Mr. Low was a great and helpful commissioner. He wished he had more time to spend and learn from him. He thanked Mr. Low for his service.	Ms. Hahn moved to adjourn the meeting at 3:19 p.m. Mr. Iida seconded the motion. Motion carried 6:0

Submitted by: _____
Sandra Muragin, Commission Support Clerk

Reviewed and Approved by: _____
Richard Jose, Chair

(X) Approved as circulated. 4/25/17

() Approved with amendments. See minutes of _____ meeting.